

THE BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES

August 30, 2004

A regular meeting of the Board of Examiners of Psychology was held at the Division of Occupations, 911 Leawood Drive, Frankfort, Kentucky on August 30, 2004.

MEMBERS PRESENT

Tracy Dwight Eells, MBA, Ph.D., Chair
Henry S. Davis, Ph.D., Vice Chair
Diane Sobel, Ph.D.
Richard Applegate, M.A.
Courtney N. Spear, M.A.
Barbara Kay Jefferson, Ph.D.
Andrew B. Jones, Jr., Ph.D.
S. Abby Shapiro, Ph.D.

OCCUPATIONS & PROFESSIONS STAFF

John Parrish, Director
Wendy Satterly, Board Administrator

OTHERS PRESENT

Mark Brengelman, Assistant Attorney General

MEMBERS ABSENT

Ruth Bauman

CALL TO ORDER

Tracy Dwight Eells, M.B.A., Ph.D., Chair called the meeting to order at 10:15 a.m.

MINUTES

The minutes of the August 2, 2004 meeting were called to the attention of the members. A motion was made by Ms. Spear to approve the minutes, as amended. Motion, seconded by Mr. Applegate, carried.

FINANCIAL STATEMENT

The Board reviewed the financial statement indicating a balance of \$147,656.30 as of July 31, 2004. A motion was made by Dr. Davis to accept the financial statement. Motion, seconded by Ms. Spear, carried.

COMPLAINTS

Case 04-14 - The Board reviewed a complaint that was previously settled with a signed "cease and desist" order against a master's level psychologist from West Virginia who had practiced without a credential from this Board and is now licensed as a Psychological Associate. The Board determined that no further action was necessary in this matter.

Case 04-17 - The Board reviewed correspondence from the psychologist in this matter regarding the use of psychological tests upon summary by the Complaints Screening Committee with the assistance of counsel. Dr. Davis agreed to prepare correspondence for the Board in this matter.

Case 04-19 - The Board reviewed an initiating complaint and a response from a psychologist upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by Dr. Sobel to open an investigation in this matter. Motion, seconded by Dr. Jefferson, carried. Drs. Eells, Davis and Mr. Applegate recused from voting on the motion.

Case 04-20 - The Board reviewed an initiating complaint and a response from a psychologist upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by Ms. Spear to dismiss the complaint for lack of evidence to support a violation of the law and regulations. Motion, seconded by Dr. Jefferson, carried. Drs. Eells, Davis and Mr. Applegate recused from voting on the motion.

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Case 04-21 - The Board reviewed an initiating complaint and a response from a psychologist upon summary by the Complaints Screening Committee with the assistance of counsel. A motion was made by Dr. Shapiro to dismiss the complaint for lack of evidence to support a violation of the law and regulations. Motion, seconded by Dr. Sobel, carried. Drs. Eells, Davis and Mr. Applegate recused from voting on the motion.

COMMITTEE REPORTS

CONTINUING EDUCATION COMMITTEE

No report.

EXAMINATION COMMITTEE

Dr. Shapiro presented for the Board's review, correspondence from Gerald Walker, Psy.D., who had failed the June administration of the oral exam, requesting that the Board allow him to review the scoring and notes from the June 25th oral exam in order to prepare for the September oral examination. The Board requested that Dr. Shapiro draft correspondence to Dr. Walker notifying him that he may listen to his oral exam tape, with a Board member present, but he would not be allowed to review score sheets or notes from the exam.

SUPERVISION COMMITTEE

No Report

CREDENTIALS REVIEW COMMITTEE

Dr. Sobel presented for the Board's review an application for licensure as a psychologist from Felicia Smith, Ph.D. asking if the course specified in ethics would be acceptable toward the requirements for licensure. The Board determined that this course would be acceptable. Dr. Eells recused himself from participation in this matter.

DISCIPLINED PSYCHOLOGISTS REPORT

The Board reviewed and approved the supervisory report and plan and goals from Donna Nichols Rogers, Psy.D. and her supervisor Rollin S. Rhodes, Ph.D., as required by the Settlement Agreement entered into with the Board. Mr. Applegate informed the Board that Dr. Rogers is no longer working for the Kentucky Department of Corrections and anticipated being employed by the Pennyroyal Center in Hopkinsville and that P. Timothy Harris will now be providing supervision for Dr. Rogers.

EXPIRED LICENSURE/CERTIFICATE REPORT

No report

OLD BUSINESS

Dr. Eells gave a report regarding the revisions to the regulations. After review of the regulations, a motion was made by Dr. Davis to approve the regulations, as amended for filing with the Legislative Research Commission by September 15, 2004. Motion, seconded by Ms. Spear, carried.

The Board reviewed e-mail from Robert J. Illback, Psy.D., former Chair and member of the Board regarding the Board's acceptance of an undergraduate course as meeting the educational requirements for the licensed psychological associate credential. Dr. Eells also offered to the Board the opinion on this matter of Charles Morgan, Ph.D., also a former member of the Board, as conveyed to him in a telephone call. A motion was made by Dr. Davis to no longer accept undergraduate coursework as meeting the educational requirements for a psychology credential at the graduate level of coursework in accord with 201 KAR 26:200 and 210, effective July, 2006, in order to give training programs time to adapt to this adherence to regulation. Motion, seconded by Ms. Spear, carried with Dr. Sobel voting in the negative.

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The Board reviewed and noted the response prepared by Dr. Eells on behalf of the Board to Donald Beal, Ph.D.

The Board reviewed and noted the response prepared by Dr. Shapiro on behalf of the Board to Bryan Carter, Ph.D.

The Board reviewed the proposed revision to the ASPPB Code of Conduct. A motion was made by Dr. Davis to notify ASPPB that the Board had reviewed the document and found no significant issues and supported the changes. Motion, seconded by Dr. Jefferson, carried. Dr. Eells agreed to prepare correspondence for the Board in this matter.

The Board reviewed and noted the e-mail response prepared by Dr. Davis on behalf of the Board to Thomas Noyes, Ph.D.

The Board again reviewed the draft of the Investigative Report Template to be used by Board appointed investigators prepared by Dr. Eells and Dr. Dwight Auvenshine, an investigator for the Board. The Board, by consensus, approved the Investigative Report Template.

The Board again reviewed correspondence from Jill LeMaster, Executive Director of the Executive Branch Ethics Commission introducing a Model Code of Ethics for State Boards and Commission Members. A motion was made by Dr. Davis to accept the Model Code of Ethics for State Board and Commission Members with a change to make the form gender neutral. The Board deferred the matter for discussion at the next meeting to be held on October 4, 2004, in order to obtain information from other states that would include diversity.

NEW BUSINESS

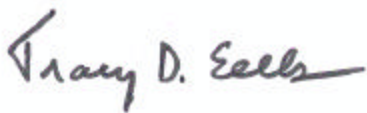
The Board reviewed and noted press releases for William Gross, Ph.D. and Shana Langley, M.A.

The Board reviewed a flyer from Nancy Gordon Moore, Ph.D., Executive Director of the Kentucky Psychological Association regarding "personality testing" and "IQ testing", which referenced in fine print the Scientology organization. The Board requested that Dr. Eells draft correspondence to Dr. Moore notifying her the Board concluded there was insufficient evidence to support a violation of KRS Chapter 319 and will consider the matter closed.

A motion was made by Dr. Davis to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Ms. Spear, carried.

The next scheduled Board meeting is to be held on Monday, October 4, 2004, at 10:00 a.m. at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

The meeting adjourned at 1:00 p.m.

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